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Beer, Wine, And Distilled Spirit Taxes: Law Enforcement Funding.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

#397

Elections Division
(916) 445-0820
TDD: (800) 833-8683

December 15, 1987

AMENDED

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8751)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

BEER, WINE, AND DISTILLED SPIRIT TAXES:
LAW ENFORCEMENT FUNDING.
INITIATIVE STATUTE
AND CONSTITUTIONAL AMENDMENT.

Circulating and Filing Schedule

1. Minimum number of signatures required.....595,485
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Tuesday, 07/21/87
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Tuesday, 07/21/87
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All Sections are to be filed at
the same time within each
county.....Friday, 12/18/87
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number
of signatures affixed to petition and to
transmit total to the Secretary of State.....Tuesday, 12/29/87*+

(If the Proponent files the petition with the county on a date prior to 12/18/87, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

- * Date adjusted for official deadline which falls on holiday.
Elec. C., Sec. 60.

- + PLEASE NOTE: To the Proponent who may wish to qualify for the June 7, 1988 Primary Election. The law allows approximately 71 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 71 days. But if you want to be sure that this initiative qualifies for the June 7, 1988 Primary Election, you should file this petition with the county before November 19, 1987.

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....Tuesday, 01/05/88**

- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Wednesday, 01/20/88

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/29/87 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

- f. If the signature count is more than 655,033 or less than 535,937, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 535,937 and 655,033 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....Thursday, 01/28/88**

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Monday, 03/14/88

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 01/20/88, the last day is not later than the thirtieth day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

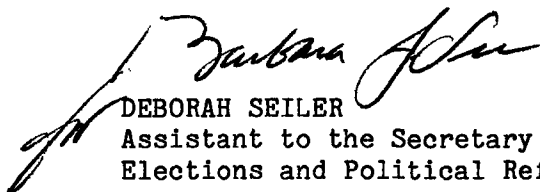
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient.....Thursday, 03/17/88

BEER, WINE, AND DISTILLED SPIRIT TAXES:
LAW ENFORCEMENT FUNDING.
Initiative Statute
and Constitutional Amendment.
December 15, 1987
Page 3

4. The Proponent of the above named measure is:

HONORABLE MARCH FONG EU
Secretary of State
1230 J Street
Sacramento, California 95814
(916) 445-6371
(415) 391-5520

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Seiler", is written over the typed name and title.

DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

12/15/87

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



P. O. Box 944255
Sacramento 94244-2550

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9553

July 21, 1987

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, California 95814

Dear Mrs. Eu:

Initiative Title and Summary.
Our File No. SA87RF0009

0397
FILED
In the office of the Secretary of State
of the State of California

JUL 21 1987

MARCH FONG EU, Secretary of State

By Barbara J. Lee
Deputy

Pursuant to the provisions of section 3503 and 3513 of the Elections code, you are hereby notified that on this day we mailed to the proponent(s) of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent(s), a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Paul H. Dobson
PAUL H. DOBSON, Supervising
Deputy Attorney General

Enclosure

(RF-10, 3/86)

0397

Date: July 21, 1987
File No.: SA87RF0009

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT
FUNDING. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT.

Amends State Constitution to permit voters to increase alcoholic beverage taxes for any purpose. Additional revenues not subject to state or local government appropriation limitations. Adds statutes to increase excise taxes by ten cents per gallon of beer and wine and per half pint of distilled spirits 100 or less proof, and by twenty cents per half pint of distilled spirits over 100 proof. Additional revenues under measure's tax increases available for local law enforcement purposes only. Summary of estimate by Legislative Analyst and Director of Finance on fiscal impact on state and local governments: The measure will provide revenues for law enforcement of approximately \$143 million the first year and roughly \$156 million in later years. The increase in the excise tax on alcoholic beverages will produce a net increase in state sales tax revenues of about \$5 million per year and in local sales tax revenues of about \$2 million per year.



Secretary of State

1230 J STREET
SACRAMENTO, CALIFORNIA 95814

June 1, 1987

Honorable John Van de Kamp
Department of Justice
1515 K Street, Suite 511
Sacramento, California 95814

Dear John:

I am the proponent of the enclosed proposed initiative measure. I request that a title and summary be prepared pursuant to Elections Code sections 3502, 3503, and 3504. I am enclosing a check in the amount of \$200.00.

Sincerely,

A handwritten signature in cursive script that reads "March".

MARCH FONG EU

Enclosures

"DIMS AGAINST CRIMES"

Section 1 The people find and declare as follows:

(a) Californians currently live under a curfew of fear imposed by criminals who make our streets, workplaces, and homes unsafe for people and property;

(b) Protecting Californians from criminal attack is one of the primary responsibilities of government at all levels;

(c) Law enforcement agencies need additional resources to prevent and detect criminal activity and to see that criminals are swiftly identified, apprehended, convicted, and punished;

(d) Additional revenue is needed to give law enforcement agencies the resources they need to help better ensure the public's safety;

WHEREFORE, the People of the State of California do hereby enact the "Dimes Against Crimes Initiative Measure".

Section 2 The Constitution of the State is amended by adding Section 24 to Article XX which shall read as follows:

Notwithstanding any other provision of this Constitution, the people, by majority vote, may impose or increase taxes on the sale, purchase, possession, handling, manufacturing, processing, or transporting of alcoholic beverages in this state and may specify or designate the allocation, disposition or use of any revenues raised by such taxes. Such specification or designation shall not be deemed to infringe on any right, power, or authority granted by this Constitution or by any law to any city, county or city and county nor shall any constitutional or statutory limitation on amounts which can be appropriated or spent by state or local government be applied, directly or indirectly, to any disposition, use, or allocation of revenues authorized by this section.

Section 3 Section 32151 of the Revenue and Taxation Code is amended to read as follows:

Except as otherwise provided in this part, an excise tax, which shall include a surcharge as specified below, is imposed upon all beer and wine sold in this State or pursuant to Section 23384 of the Business and Professions Code by a manufacturer, wine grower, or importer, or sellers of beer or wine selling beer or wine with respect to which no tax has been paid within areas over which the United States Government exercises jurisdiction, at the following rates:

- (a) On all beer, one dollar and twenty-four cents (\$1.24) for every barrel containing 31 gallons, plus a surcharge of ten cents (\$0.10) per gallon, and at a proportionate rate for any other quantity.
- (b) On all still wines containing not more than 14 percent of absolute alcohol by volume, one cent (\$0.01) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (c) On all still wines containing more than 14 percent of absolute alcohol by volume, two cents (\$0.02) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (d) On champagne, sparkling wine, excepting sparkling hard cider, whether naturally or artificially carbonated, thirty cents (\$0.30) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (e) On sparkling hard cider, two cents (\$0.02) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.

All the provisions of this part relating to excise taxes are applicable also to the tax imposed by this subdivision, to the extent that they are not inconsistent with this subdivision.

Section 4 Section 32201 of the Revenue and Taxation Code is amended to read as follows:

An excise tax, which shall include a surcharge as specified below, is imposed upon all distilled spirits sold in this state or pursuant to Section 23384 of the Business and Professions Code by manufacturers, distilled spirits manufacturer's agents, brandy manufacturers, rectifiers, or wholesalers, or sellers of distilled spirits selling distilled spirits with respect to which no tax has been paid within areas over which the federal government exercises jurisdiction, at the following rates:

On all distilled spirits of proof strength or less, two dollars (\$2.00) per wine gallon, plus a surcharge of ten cents (\$0.10) per half-pint, and at a proportionate rate for any quantity, and on all nonliquid distilled spirits containing 50 percent or less alcohol by weight two cents (\$0.02) per ounce avoirdupois, and at a proportionate rate for any quantity.

All distilled spirits in excess of proof strength, and all nonliquid distilled spirits containing more than 50 percent alcohol by weight, shall be taxed at double the above rate.

For purposes of this section, "half-pint" shall mean one-sixteenth of one gallon.

Section 5 Section 32501 of the Revenue and Taxation Code is amended to read as follows:

All taxes, including any surcharges, interest, and penalties imposed and all amounts of tax required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. Except as provided in Section 32503, the board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Alcohol Beverage Control Fund.

Section 6 Section 32503 of the Revenue and Taxation Code is added to read as follows:

(a) All money received by the board attributable to the surcharge imposed by Revenue and Taxation Code Sections 32151 and 32201, including any interest or penalties, shall be transmitted to the State Treasurer to be deposited in the State Treasury to the credit of the Dimes Against Crimes Fund, which fund is hereby created.

(b) All money deposited in the Dimes Against Crimes Fund shall be continuously appropriated to the State Controller to be allocated pursuant to the following formula by the State Controller, at least quarterly, directly to city police chiefs and to county sheriffs who shall deposit the money to their accounts with their city or county treasurers. For purposes of this section, "county" shall include a city and county.

(c) Except in the case of a police chief or sheriff of a city and county, the amount allocated to an individual city police chief or county sheriff pursuant to this section shall be based on the number of persons residing in the areas for which the city police chief or county sheriff has direct primary criminal law enforcement responsibility by contractual basis or otherwise. In the case of a police chief or sheriff of a city and county, it shall be assumed for purposes of this section that the police chief and sheriff have concurrent direct primary criminal law enforcement responsibility for the population of the entire city and county and the amount allocated as between the police chief and the sheriff shall be based on the ratio of departmental operating budgets for the respective departments as determined by the State Controller. For purposes of this paragraph, the determination of "the number of persons residing in the areas" shall be based on the number of persons estimated by the State Controller to be residing in the areas as of July 1 preceding the allocations of funds to city police chiefs and county sheriffs.

Section 7 Section 32504 of the Revenue and Taxation Code is added to read as follows:

(a) The amounts received by city police chiefs and county sheriffs pursuant to Section 32503 shall be expended by them for criminal law enforcement purposes only. However, the money shall not be used as substitute funds but rather shall supplement the total amount of money which would otherwise be provided from all other sources for criminal law enforcement purposes.

(b) The Attorney General, the district attorney of an affected jurisdiction, or any person residing within an affected jurisdiction shall have standing to bring an action in superior court to enforce the provisions of this section and such party, if prevailing, shall be entitled to costs and reasonable attorney fees.

(c) In any action filed pursuant to this section, it shall be rebuttably presumed that allocations made during any fiscal year pursuant to Section 32503, subdivision (c) are being used to substitute rather than supplement funds if, after excluding such allocations, the operating budget of the law enforcement agency of the challenged jurisdiction has not been increased for that fiscal year over the operating budget for the previous fiscal year by an amount sufficient to adjust for any increase in the cost-of-living or any increase in population, whichever is a greater amount. For purposes of this section, "cost-of-living" means the percentage of budgetary adjustment applied to state agencies generally to compensate for price increases from one fiscal year to the next as determined by the Director of the Department of Finance.

(d) Any funds determined by a court to have been substituted shall be appropriated from the general fund of the challenged jurisdiction to the law enforcement agency of that jurisdiction to be expended for law enforcement purposes.

Section 8 No provision of Sections 3 through 7 of this measure may be changed except to further its purpose by a bill passed by a vote of two-thirds of the membership of both houses of the Legislature and signed by the Governor or by a vote of the people except that no decrease in the excise tax or the surcharge imposed by Sections 32151 and 32201 of the Revenue and Taxation Code shall be made except by a vote of the people.

Section 9 If any provision of this measure, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this act, to the extent it can be given effect, shall not be affected thereby, and to this end the provisions of this measure are severable.

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DIMESFINAL6/1/87



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820
TDD: (800) 833-8683

July 21, 1987

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8751)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

BEER, WINE, AND DISTILLED SPIRIT TAXES:
LAW ENFORCEMENT FUNDING.
INITIATIVE STATUTE
AND CONSTITUTIONAL AMENDMENT.

Circulating and Filing Schedule

1. Minimum number of signatures required.....595,485
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Tuesday, 07/21/87
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Tuesday, 07/21/87
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All Sections are to be filed at
the same time within each
county.....Friday, 12/18/87
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number
of signatures affixed to petition and to
transmit total to the Secretary of State.....Tuesday, 12/29/87*+

(If the Proponent files the petition with the county on a date prior to 12/18/87, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

* Date adjusted for official deadline which falls on holiday.
Elec. C., Sec. 60.

+ PLEASE NOTE: To the Proponent who may wish to qualify for the June 7, 1988 Primary Election. The law allows approximately 71 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 71 days. But if you want to be sure that this initiative qualifies for the June 7, 1988 Primary Election, you should file this petition with the county before November 19, 1987.

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....Tuesday, 01/05/88**

- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Wednesday, 01/20/88

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/29/87 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

- f. If the signature count is more than 655,033 or less than 535,937, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 535,937 and 655,033 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....Thursday, 01/28/88**

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Saturday, 02/27/88

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 01/20/88, the last day is not later than the thirtieth day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient.....Tuesday, 03/01/88

BEER, WINE, AND DISTILLED SPIRIT TAXES:
LAW ENFORCEMENT FUNDING.
Initiative Statute
and Constitutional Amendment.
July 21, 1987
Page 3

4. The Proponent of the above named measure is:

HONORABLE MARCH FONG EU
Secretary of State
1230 J Street
Sacramento, California 95814
(916) 445-6371
(415) 391-5520

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

07/21/87

"DIMS AGAINST CRIMES"

Section 1 The people find and declare as follows:

(a) Californians currently live under a curfew of fear imposed by criminals who make our streets, workplaces, and homes unsafe for people and property;

(b) Protecting Californians from criminal attack is one of the primary responsibilities of government at all levels;

(c) Law enforcement agencies need additional resources to prevent and detect criminal activity and to see that criminals are swiftly identified, apprehended, convicted, and punished;

(d) Additional revenue is needed to give law enforcement agencies the resources they need to help better ensure the public's safety;

WHEREFORE, the People of the State of California do hereby enact the "Dimes Against Crimes Initiative Measure".

Section 2 The Constitution of the State is amended by adding Section 24 to Article XX which shall read as follows:

Notwithstanding any other provision of this Constitution, the people, by majority vote, may impose or increase taxes on the sale, purchase, possession, handling, manufacturing, processing, or transporting of alcoholic beverages in this state and may specify or designate the allocation, disposition or use of any revenues raised by such taxes. Such specification or designation shall not be deemed to infringe on any right, power, or authority granted by this Constitution or by any law to any city, county or city and county nor shall any constitutional or statutory limitation on amounts which can be appropriated or spent by state or local government be applied, directly or indirectly, to any disposition, use, or allocation of revenue authorized by this section.

Section 3 Section 32151 of the Revenue and Taxation Code is amended to read as follows:

Except as otherwise provided in this part, an excise tax, which shall include a surcharge as specified below, is imposed upon all beer and wine sold in this State or pursuant to Section 23384 of the Business and Professions Code by a manufacturer, wine grower, or importer, or sellers of beer or wine selling beer or wine with respect to which no tax has been paid within areas over which the United States Government exercises jurisdiction, at the following rates:

- (a) On all beer, one dollar and twenty-four cents (\$1.24) for every barrel containing 31 gallons, plus a surcharge of ten cents (\$0.10) per gallon, and at a proportionate rate for any other quantity.
- (b) On all still wines containing not more than 14 percent of absolute alcohol by volume, one cent (\$0.01) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (c) On all still wines containing more than 14 percent of absolute alcohol by volume, two cents (\$0.02) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (d) On champagne, sparkling wine, excepting sparkling hard cider, whether naturally or artificially carbonated, thirty cents (\$0.30) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.
- (e) On sparkling hard cider, two cents (\$0.02) per wine gallon, plus a surcharge of ten cents (\$0.10) per wine gallon, and at a proportionate rate for any other quantity.

All the provisions of this part relating to excise taxes are applicable also to the tax imposed by this subdivision, to the extent that they are not inconsistent with this subdivision.

Section 4 Section 32201 of the Revenue and Taxation Code is amended to read as follows:

An excise tax, which shall include a surcharge as specified below, is imposed upon all distilled spirits sold in this state or pursuant to Section 23384 of the Business and Professions Code by manufacturers, distilled spirits manufacturer's agents, brandy manufacturers, rectifiers, or wholesalers, or sellers of distilled spirits selling distilled spirits with respect to which no tax has been paid within areas over which the federal government exercises jurisdiction, at the following rates:

On all distilled spirits of proof strength or less, two dollars (\$2.00) per wine gallon, plus a surcharge of ten cents (\$0.10) per half-pint, and at a proportionate rate for any quantity, and on all nonliquid distilled spirits containing 50 percent or less alcohol by weight two cents (\$0.02) per ounce avoirdupois, and at a proportionate rate for any quantity.

All distilled spirits in excess of proof strength, and all nonliquid distilled spirits containing more than 50 percent alcohol by weight, shall be taxed at double the above rate.

For purposes of this section, "half-pint" shall mean one-sixteenth of one gallon.

Section 5 Section 32501 of the Revenue and Taxation Code is amended to read as follows:

All taxes, including any surcharges, interest, and penalties imposed and all amounts of tax required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. Except as provided in Section 32503, the board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Alcohol Beverage Control Fund.

Section 6 Section 32503 of the Revenue and Taxation Code is added to read as follows:

(a) All money received by the board attributable to the surcharge imposed by Revenue and Taxation Code Sections 32151 and 32201, including any interest or penalties, shall be transmitted to the State Treasurer to be deposited in the State Treasury to the credit of the Dimes Against Crimes Fund, which fund is hereby created.

(b) All money deposited in the Dimes Against Crimes Fund shall be continuously appropriated to the State Controller to be allocated pursuant to the following formula by the State Controller, at least quarterly, directly to city police chiefs and to county sheriffs who shall deposit the money to their accounts with their city or county treasurers. For purposes of this section, "county" shall include a city and county.

(c) Except in the case of a police chief or sheriff of a city and county, the amount allocated to an individual city police chief or county sheriff pursuant to this section shall be based on the number of persons residing in the areas for which the city police chief or county sheriff has direct primary criminal law enforcement responsibility by contractual basis or otherwise. In the case of a police chief or sheriff of a city and county, it shall be assumed for purposes of this section that the police chief and sheriff have concurrent direct primary criminal law enforcement responsibility for the population of the entire city and county and the amount allocated as between the police chief and the sheriff shall be based on the ratio of departmental operating budgets for the respective departments as determined by the State Controller. For purposes of this paragraph, the determination of "the number of persons residing in the areas" shall be based on the number of persons estimated by the State Controller to be residing in the areas as of July 1 preceding the allocations of funds to city police chiefs and county sheriffs.

Section 7 Section 32504 of the Revenue and Taxation Code is added to read as follows:

(a) The amounts received by city police chiefs and county sheriffs pursuant to Section 32503 shall be expended by them for criminal law enforcement purposes only. However, the money shall not be used as substitute funds but rather shall supplement the total amount of money which would otherwise be provided from all other sources for criminal law enforcement purposes.

(b) The Attorney General, the district attorney of an affected jurisdiction, or any person residing within an affected jurisdiction shall have standing to bring an action in superior court to enforce the provisions of this section and such party, if prevailing, shall be entitled to costs and reasonable attorney fees.

(c) In any action filed pursuant to this section, it shall be rebuttably presumed that allocations made during any fiscal year pursuant to Section 32503, subdivision (c) are being used to substitute rather than supplement funds if, after excluding such allocations, the operating budget of the law enforcement agency of the challenged jurisdiction has not been increased for that fiscal year over the operating budget for the previous fiscal year by an amount sufficient to adjust for any increase in the cost-of-living or any increase in population, whichever is a greater amount. For purposes of this section, "cost-of-living" means the percentage of budgetary adjustment applied to state agencies generally to compensate for price increases from one fiscal year to the next as determined by the Director of the Department of Finance.

(d) Any funds determined by a court to have been substituted shall be appropriated from the general fund of the challenged jurisdiction to the law enforcement agency of that jurisdiction to be expended for law enforcement purposes.

Section 8 No provision of Sections 3 through 7 of this measure may be changed except to further its purpose by a bill passed by a vote of two-thirds of the membership of both houses of the Legislature and signed by the Governor or by a vote of the people except that no decrease in the excise tax or the surcharge imposed by Sections 32151 and 32201 of the Revenue and Taxation Code shall be made except by a vote of the people.

Section 9 If any provision of this measure, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this act, to the extent it can be given effect, shall not be affected thereby, and to this end the provisions of this measure are severable.

###

DINESFINAL6/1/87

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



P. O. Box 944255
Sacramento 94244-2550

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

July 21, 1987

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

Initiative Title and Summary.

Subject: BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT
Our File No. SA87RF0009 FUNDING.


Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General


PAUL H. DOBSON, Supervising
Deputy Attorney General

Attachment



JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



P. O. Box 944255
Sacramento 94244-2550

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

July 21, 1987

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, California 95814

Dear Mrs. Eu:

Initiative Title and Summary.
Our File No. SA87RF0009

Pursuant to the provisions of section 3503 and 3513 of the Elections code, you are hereby notified that on this day we mailed to the proponent(s) of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent(s), a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in cursive script, appearing to read "Paul H. Dobson", written over a horizontal line.

PAUL H. DOBSON, Supervising
Deputy Attorney General

Enclosure

DECLARATION OF MAILING

The undersigned Declarant, states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: July 21, 1987

Subject: BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT
FUNDING. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT.
Our File No.: SA87RF0009

Name of Proponent(s) and Address(es):

HONORABLE MARCH FONG EU
Secretary of State
1230 J Street
Sacramento, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California on July 21, 1987.


JANET STRICKLIN
Declarant

Date: July 21, 1987
File No.: SA87RF0009

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT
FUNDING. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT.

Amends State Constitution to permit voters to increase alcoholic beverage taxes for any purpose. Additional revenues not subject to state or local government appropriation limitations. Adds statutes to increase excise taxes by ten cents per gallon of beer and wine and per half pint of distilled spirits 100 or less proof, and by twenty cents per half pint of distilled spirits over 100 proof. Additional revenues under measure's tax increases available for local law enforcement purposes only. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure will provide revenues for law enforcement of approximately \$143 million the first year and roughly \$156 million in later years. The increase in the excise tax on alcoholic beverages will produce a net increase in state sales tax revenues of about \$5 million per year and in local sales tax revenues of about \$2 million per year.



Secretary of State

1230 J STREET
SACRAMENTO, CALIFORNIA 95814

June 1, 1987

Honorable John Van de Kamp
Department of Justice
1515 K Street, Suite 511
Sacramento, California 95814

Dear John:

I am the proponent of the enclosed proposed initiative measure. I request that a title and summary be prepared pursuant to Elections Code sections 3502, 3503, and 3504. I am enclosing a check in the amount of \$200.00.

Sincerely,

A handwritten signature in cursive script that reads 'March'.

MARCH FONG EU

Enclosures

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



P. O. Box 944255
Sacramento 94244-2550

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9535

July 21, 1987

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

Initiative Title and Summary.

Subject: BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT
Our File No. SA87RF0009 FUNDING.


Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General


PAUL H. DOBSON, Supervising
Deputy Attorney General

Attachment

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Date of Mailing: July 21, 1987

Subject: BEER, WINE, AND DISTILLED SPIRIT TAXES: LAW ENFORCEMENT
FUNDING. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT.
Our File No.: SA87RF0009

Name of Proponent(s) and Address(es):

HONORABLE MARCH FONG EU
Secretary of State
1230 J Street
Sacramento, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California on July 21, 1987.



JANET STRICKLIN
Declarant



Secretary of State

1230 J STREET
SACRAMENTO, CALIFORNIA 95814

June 1, 1987

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Department of Justice
1515 K Street, Suite 511
Sacramento, California 95814

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Sincerely,

A handwritten signature in cursive script that reads "March".

MARCH FONG EU

Enclosures

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
July 21, 1987

Contact: Caren Daniels-Meade or
Melissa Warren

SECRETARY OF STATE EU REPORTS ANTI-CRIME INITIATIVE LAUNCHED

SACRAMENTO — Secretary of State March Fong Eu announced today (July 21) the receipt of the official title and summary from the attorney general that signals the beginning of circulation efforts of the so-called "Dimes Against Crimes" initiative, a constitutional and statutory initiative aimed at increasing funding for anti-crime efforts throughout California by increasing alcohol taxes.

Officially titled "Beer, Wine, and Distilled Spirit Taxes: Law Enforcement Funding," the citizen drive is sponsored by Secretary of State Eu, telephone (916) 445-6371. She needs to collect 595,485 registered voter signatures by December 18 to place the measure on the June 1988 ballot. In order to guarantee its timely certification, however, a November 19 signature-submission deadline is recommended.

According to the title and summary, the initiative would "amend the state constitution to permit voters to increase alcoholic beverage taxes for any purpose" with such increased revenues "not subject to state or local government appropriation limitations." The measure "adds statutes to increase excise taxes by ten cents per gallon of beer and wine and per half-pint of distilled spirits 100 or less proof, and by twenty cents per half-pint of distilled spirits over 100 proof." The "additional revenues under (the) measure's tax increases (would be) available for local law enforcement purposes only."

The fiscal impact statement prepared by the legislative analyst and director of finance estimates the measure "will provide revenues for law enforcement of approximately \$143 million the first year and roughly \$156 million in later years. The increase in the excise tax on alcoholic beverages will produce a

(over)

EU....Page 2.

net increase in state sales tax revenues of about \$5 million per year and in local sales tax revenues of about \$2 million per year."

This brings to eight the total number of initiatives in circulation currently.

A copy of the title and summary, circulation calendar and text is attached.

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8719CDM

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
April 13, 1987

Contact: Caren Daniels-Meade
or Melissa Warren

SECRETARY OF STATE EU SCHEDULES INITIATIVE HEARING

SACRAMENTO — Secretary of State March Fong Eu will conduct a public hearing on Monday, April 27, at 9:30 a.m. in the secretary of state's office first floor conference room at 1230 J St., Sacramento, to receive testimony on the clarity of a proposed anti-crime funding initiative.

The initiative, called "Dimes Against Crimes" by proponent March Fong Eu, would raise \$82 million annually by adding a 10¢ per half-pint excise tax on all hard liquor sold in California. The proceeds would be allocated to county sheriff and city police departments to supplement their crime-fighting budgets.

According to Government Code Section 12172, any proponent may ask the secretary of state to review the provisions of a proposed initiative for input relating to the form and language clarity of the proposed measure. Dr. Eu, as proponent, requested such a review.

Dr. Eu is encouraging input from all interested citizens. She has specifically invited representatives of the State Board of Equalization, State Controller, Dept. of Finance, Attorney General, Dept. of Alcoholic Beverage Control, Dept. of Alcohol and Drug Programs, and State Treasurer to testify.

Pursuant to Government Code Section 12172, testimony will be limited to comments regarding form and language clarity of the proposed initiative's text; it is not a forum for "pro" and "con" arguments regarding the proposal's merits. Based on the testimony, the final draft of the measure will be prepared and submitted to the attorney general for preparation of the title and summary.

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8706CDM

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 7/21/87 9:40
 Title of Initiative: BEER, WINE, and DISTILLED SPIRITS TAXES: LAW ENFORCEMENT FUNDING
~~DUES AGAINST CRIME~~
 Type of Initiative: CA S CA and S
 Number of Pages Number of Proponents 1
 Date and Time Initiative will be ready for pick-up 7/21/87 9:45

Initial/Date/Time

1. da 17/21 9:41 OSSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 17/21 9:54 OSSSI gives check list to Word Processing Technician to prepare calendar.
3. WPT 17/21 10:25 Word Processing Technician prepares and proofs calendar and log and returns both to OSSSI.
4. da 17/21 10:40 OSSSI proofs calendar and log and gives to Elections Chief for review..
5. da 17/21 11:20 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSSI.
6. SL 17/21 12:20 OSSSI makes copies of initiative calendar for each proponent.
7. BC 17/21 12:20 OSSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
8. BC 17/21 12:20 OSSSI prepares Mail/Freight Request Form. OSSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on to each proponent.

Date

(This must be sent to each proponent same day AG prepares Title and Summary).

9. SL 17/21 11:40 OSSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST
Page two

10. BC, 7/21, 12:20

OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:

☒ Tony
☒ Caren
☒ Jerry
☒ Deborah
☒ Barbara

under
copy

11. 7:23 10:40
da 17/21 2:45

OSSI distributes copies of initiative calendar to:

☒ All CC/ROV
☒ Political Reform (5 copies)
☒ Elections Staff
☒ LA Office via LA Pouch -
☒ J.R. Schultz (12 copies)
☒ Initiative mailing list
☒ Extra copies for public
distribution
☒ Master copy

12. DA 17/23/10:00

OSSI advises Assistant Chief of completion of above distribution.

13. CP 17/21 2:45 PM

OSSI makes copies of log and distributes as follows:

1. Initiative canvass binder
2. Ron Wong - FTB
3. Joe Samora - Archives

14. CP 17/21 3 PM

OSSI prepares folder for public distribution.

15. CP 17/21 3:20

OSSI prepares index cards for each initiative.

16. 1 1

OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.

17. DA 17/23/10:00

OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.

18. 17/23/10:05

Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room _____ / _____
Date Time

Request mail to be sent no later than _____.
Date

MAIL:

- ☐ 1st Class
- ☐ Bulk
- ☐ Book Rate
- ☐ Presort
- ☐ Third Class

CHARGES:

Amount: _____.

Pieces: _____.

FREIGHT:

- ☐ UPS
- ☐ Purolator
- ☐ Greyhound (Next bus out: Yes ____ No ____)
- ☐ Air-Freight
- ☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: _____)
- ☐ County Mailings (#'s: _____)
- ☐ Ballot Pamphlet
- ☐ Other (Specify: _____)
- ☐ Initiative Calendar to Proponent(s).

Mail room sent requested mail on _____.

Initial (Service and Supply)